

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 824 WEST 37TH STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES.

WHEREAS, the buildings and structures whose location is set forth herein are vacant and have become run down, dilapidated, unsightly, dangerous, obnoxious, unsafe, not fit for human habitation and detrimental to the public welfare of North Little Rock citizens and residents; and

WHEREAS, the condition of such property constitutes a serious fire and health hazard to the City of North Little Rock, and unless immediate actions are taken to remedy this situation by removing, razing and abating said nuisance, there is a great likelihood that the surrounding property may be destroyed by fire originating from such unsafe and hazardous structures, and also that since structures are without proper sanitary facilities and as such are unsafe and hazardous and a breeding place for rats, rodents and other dangerous germ carriers of diseases, such buildings constitute a serious hazard to the health and safety of the citizens of North Little Rock, and they should be moved or razed for the purpose of eliminating such hazards.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That the City Council hereby declares the buildings, houses and other structures located at the property identified in Section 2 below to be vacant and run down, dilapidated, unsafe, unsightly, dangerous, obnoxious, unsanitary, a fire hazard, a menace to abutting properties, with the current condition of said structures not being fit for human habitation; and because of such conditions, the City Council declares the same to be condemned as a public nuisance and is ordered abated, removed or razed by the owner thereof.

SECTION 2: That the owner of record of the following described property is hereby directed to raze the same or otherwise abate the said nuisance within thirty (30) days after the posting of a true copy of this Resolution at a conspicuous place upon the structure constituting the nuisance described herein, to-wit:

Lot 6, Block 15, Booher's Addition to the City of North Little Rock, Pulaski County, Arkansas. (Parcel No. 33N1770011100 located at 824 West 37th Street and owned by Matthew Hill.)

SECTION 3: If the aforementioned structures have not been razed and/or removed within thirty (30) days after posting a true copy of this Resolution at a conspicuous place upon the structures constituting the nuisance, or the nuisance otherwise abated, the structures shall be torn down and/or removed by the Director of Code Enforcement or his duly designated representative. Each day after the aforesaid thirty (30) days in which said nuisance is not abated shall constitute a separate and distinct offense punishable by a fine of \$50.00 for each such separate and distinct offense.

SECTION 4: That the provisions of this Resolution are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 5: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

SPONSOR:

ATTEST:



Mayor Joe A. Smith *JAS*

Diane Whitbey, City Clerk

APPROVED AS TO FORM:



C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

FILED	<u>4:58</u>	A.M.	____	P.M.
By	<u>J. Carter, City Atty</u>			
DATE	<u>1-19-16</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>D. McGee</u>			

The City of North Little Rock



TOM WADLEY
DIRECTOR

R-16-12
701 WEST 29TH STREET
NORTH LITTLE ROCK, ARKANSAS 72114
501-791-8581 • Fax 501-791-8584
NLRCODEenforcement@northlittlerock.ar.gov

CODE ENFORCEMENT DEPARTMENT

January 11, 2016

Mayor Smith
City Council Members

Re: 824 W. 37th
Lot 6 Block 15 Booher's Addition
Parcel 33N1770011100
City of North Little Rock, AR

Owner: Matthew T Hill
North Little Rock, AR

Dear Mayor Smith;

On October 17, 2014 I received a complaint regarding the condition of the house at the above named address. The house is unsecured, trashed, the back part of the roof is leaking and have caused the flooring to rot. Notice was sent to the owner of record (Matthew Hill) which returned unclaimed. Mr. Hill was issued a citation for property maintenance violations, court date of February 19, 2015 at 1:30 pm., On February 19, 2015 the court date was reset for March 19, 2015, for review to allow Mr. Hill to complete repairs to the property.

On March 19, 2015 the courts gave Mr. Hill another 30-Days to complete rehab to the structure, court date reset for April 16, 2015 for review. Very little progress has been made at this point. On April 15, 2015 during an inspection of the area I noticed Mr. Hill at the property replacing the broken front windows. I informed Mr. Hill that he needed to secure the house and make contact with F. McHenry about the notice of public nuisance and his property going before city council. to be considered for condemnation. On April 16, 2015. Mr. Hill was back in court on the same citation and the judge set another court date of June 18, 2015 for review, and he also told Mr. Hill if repairs were not completed he would access a of 25.00 per day fine until all repairs are made. Mr. Hill was eventually fined \$1,000.

August 2015 Officer F. McHenry started the condemnation procedures again due to the unchanged condition of the structure. Owners and/or heirs and all interested parties were given notice of City Council for the October 26th 2015 Hearing date. Notices were mailed by certified and regular mail, legal notice ran in the newspaper, and were also posted on the property.

Mr. Hill requested an inspection of the property to show he started cleanup to the property and pulled the necessary permits and requested additional time to complete the rehab. He was given 30 to 60 days to have all repairs completed.

January 4th, 2016 Follow-up inspection showed no repairs completed. Mr. Hill was given notice of a January 25th, 2016 City hearing date.

This property is considered to be a public nuisance and is unfit for human habitation. It is also considered to be unsafe. It is the recommendation of the North Little Rock Code Enforcement Department that this structure be considered for condemnation.

Felecia McHenry
Code Enforcement Officer